

STATE OF MICHIGAN
COURT OF APPEALS

PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

DEREK BONASSE,

Defendant-Appellant.

UNPUBLISHED
September 9, 2003

No. 239299
Wayne Circuit Court
LC No. 99-001087-01

Before: O’Connell, P.J., and Jansen and Fort Hood, JJ.

MEMORANDUM.

Defendant was convicted, following a jury trial, of armed robbery, MCL 750.529, and possession of a firearm during the commission of a felony, MCL 750.227b. He was sentenced to fifteen to twenty-five years’ imprisonment for the armed robbery conviction and two years’ imprisonment for the felony-firearm conviction. Defendant appeals as of right, and we affirm.

Defendant alleges that there was insufficient evidence to support his convictions. We disagree. When reviewing a challenge to the sufficiency of the evidence, this Court must view the evidence in the light most favorable to the prosecution to determine whether a rational trier of fact could find that the essential elements of the crime were proven beyond a reasonable doubt. *People v Johnson*, 460 Mich 720, 723; 597 NW2d 73 (1999). All conflicts in the evidence must be resolved in favor of the prosecution. *People v Terry*, 224 Mich App 447, 452; 569 NW2d 641 (1997). The issue of credibility is for the jury to resolve, and credibility issues will not be resolved anew on appeal. *People v Milstead*, 250 Mich App 391, 404; 648 NW2d 648 (2002).

Defendant does not challenge the sufficiency of a particular element of the convicted offenses, but concludes that the witness testimony¹ was inherently incredible. Review of the record reveals that the witnesses’ detention, the duration of the detention, and the motivation to fabricate testimony was thoroughly explored by defense counsel. Despite the extensive cross-examination, the jury determined that the witnesses’ testimony regarding defendant’s

¹ Defendant contends that his convictions were premised on the testimony of one witness because his acquittal of the felony-murder charge indicates that the testimony of witness Cantineri was not believed. On the contrary, the jury is free to accept or reject any part of a witness’ testimony. See *People v Stiller*, 242 Mich App 38, 42; 617 NW2d 697 (2000).

participation was credible. Accordingly, the challenge to the sufficiency of the evidence is without merit.²

Affirmed.

/s/ Peter D. O'Connell

/s/ Kathleen Jansen

/s/ Karen M. Fort Hood

² We also note that the challenge to the denial of the motion for directed verdict is also without merit.